#### TEXAS TRANSPORTATION COMMISSION

TRAVIS County

#### MINUTE ORDER

Page 1 of 1

**AUSTIN** District

In the city of Cedar Park, <u>TRAVIS COUNTY</u>, on <u>RANCH TO MARKET ROAD 1431</u>, the State of Texas acquired certain land by various instruments, and the state used certain land to which there is no record title in the state's or city's name.

Pursuant to Texas Transportation Code, §§201.103 and 221.001, the executive director has recommended that a segment of the old alignment of RM 1431, known as Whitestone Blvd., shown on Exhibit A, be removed from the state highway system and that control, jurisdiction and maintenance be transferred to the city.

The surplus land acquired by the state (surplus state land), described in Exhibit B, and the surplus no-title land, described in Exhibit C, are no longer needed for a state highway purpose.

In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may waive payment for real property transferred to a governmental entity if the estimated cost of future maintenance on the property equals or exceeds the fair value of the property and may recommend the quitclaim to the city of any interest that might have accrued to the state by use of the property, if there is no record title to the property.

The fair value of the surplus state land has been determined to be \$398,859, and the state's costs for maintenance over the next 10 years is estimated to be \$535,227.

The city has requested that the surplus state land be transferred to the city, that the surplus notitle land be quitclaimed to the city and that control, jurisdiction and maintenance be transferred to the city.

The commission finds \$398,859 to be a fair and reasonable value of the state's rights, title and interest in the surplus state land.

IT IS THEREFORE ORDERED by the commission that a segment of the old alignment of RM 1431, known as Whitestone Blvd., is removed from the state highway system and transferred to the city for control, jurisdiction and maintenance, a distance of approximately 1.057 miles.

FURTHER, the commission finds that the surplus state land and the surplus no-title land are no longer needed for a state highway purpose and recommends, subject to approval by the attorney general, that the Governor of Texas execute proper instruments transferring the state's rights, title and interest in the surplus state land to the City of Cedar Park, Texas, in consideration of the savings to the state of future maintenance costs, and quitclaiming the state's rights and interest in the surplus no-title land to the City of Cedar Park, Texas; SAVE AND EXCEPT, however, there is excepted and reserved herefrom all of the state's rights, titles and interests, if any, in and to all of the oil, gas, sulphur and other minerals, of every kind and character, in, on, under and that may be produced from the surplus state land.

Submitted and reviewed by

Director, Right of Way Division

bel

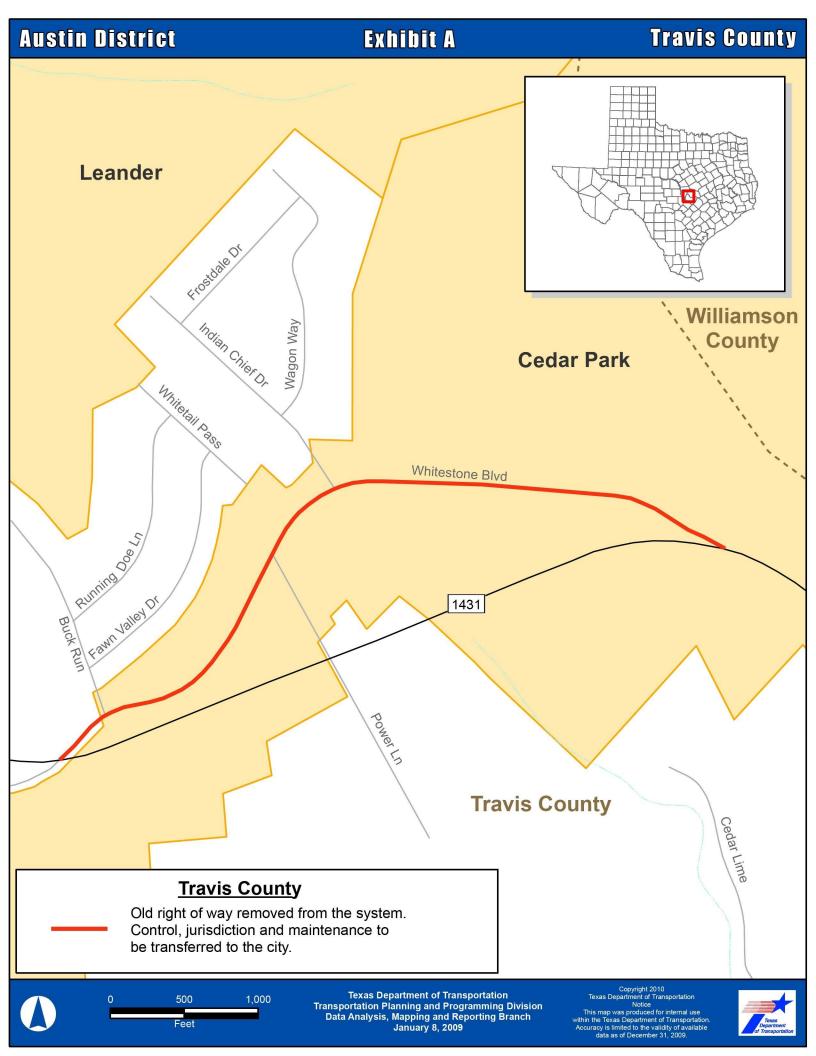
Recommended by:

**Executive Director** 

112137 JAN 2809

Minute Number

Date Passed



## Exhibit B

All of those certain tracts or parcels of land situated in Travis County, Texas, containing 1.936 acres, more or less, being out of the C. G. Settle Survey No. 632, Abstract No. 2201, the B.F. Davis Survey No. 73, Abstract No. 2280, the Charles Power Survey No. 679, Abstract No. 613, and the Jose I. Sanchez Survey No. 51, Abstract No. 693, said tracts being more particularly described by metes and bounds as Tract 4 containing 0.254 acre, attached hereto, and Tract 5 containing 0.052 acre, attached hereto; and in addition thereto, the following tracts or parcels of land as described in the following deeds:

- 0.37 acre being all of that certain property identified as Tract 2, in a deed dated August 29, 1952 from R. A. Hart and Emalee Hart to the State of Texas, recorded in Vol. 1284, Page 117 of the Deed Records of Travis County, Texas.
- 2. 0.62 acre being all of that certain property identified as Tract 2, in a deed dated August 29, 1952 from J. Q. Gaines to the State of Texas, recorded in Vol. 1284, Page 99 of the Deed Records of Travis County, Texas.
- 0.07 acre being all of that certain property identified in deed dated August 15, 1952 from W. D. Berry and wife to the State of Texas, recorded in Vol. 1281, Page 453 of the Deed Records of Travis County, Texas
- 0.42 acre and 0.15 acre, being all of that certain property identified as Tract 1 and Tract 2, in a deed dated September 24, 1952 from G. K. Saunders to the State of Texas, recorded in Vol. 1288, Page 429 of the Deed Records of Travis County, Texas.

County:

**Travis** 

Tract No.:

4

Highway:

R.M. 1431

CSJ:

1378-01-01

## EXHIBIT B

## PROPERTY DESCRIPTION FOR TRACT 4

DESCRIPTION OF A 0.254 ACRE (11,076 SQUARE FOOT) TRACT OF LAND SITUATED IN THE JOSE I. SANCHEZ SURVEY NO. 51, ABSTRACT NO. 693, IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THE OLD R.M. 1431 RIGHT-OF-WAY AS REFERENCED ON TXDOT RIGHT-OF-WAY MAP C.S.J. NO. 1378-01-01, AND BEING A PORTION OF THAT CALLED 0.63 ACRE TRACT OF LAND (PARCEL 15) TO STATE OF TEXAS RECORDED IN VOLUME 1284, PAGE 113, DEED RECORDS OF TRAVIS COUNTY, TEXAS (D.R.T.C.T.), SAID 0.254 ACRE (11,076 SQUARE FOOT) TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

### PART 1

**BEGINNING** at a set 1/2 inch iron rod with orange plastic cap stamped "Wallace Group" for the southwest corner of the herein described tract and being at grid coordinate X=3070915.31, Y=10160223.19, which is based on the Texas State Plane Coordinate System (Central Zone No. 4203, NAD 83/93 HARN) using the Central Texas GPS Cooperative CORS RTK Network, being 50.0 feet right of old R.M. 1431 baseline station 1093+94 as referenced on TXDOT right-of-way map C.S.J. No. 1378-01-01, same being the southwest corner of said 0.63 acre tract (Parcel 15);

**THENCE**, traveling across the right-of-way of said old R.M. 1431, with the west line of said 0.63 acre tract (Parcel 15), by course 1 as follows:

1) (L1) N 03° 49' 43" E, a distance of 21.00 feet to a calculated point for the northwest corner of said 0.63 acre tract (Parcel 15) and the herein described tract;

**THENCE**, continuing to travel across the right-of-way of said old R.M. 1431, with the northerly line of said 0.63 acre tract (Parcel 15), by courses 2 through 5 as follows:

- 2) (L2) S 86° 10' 43" E, a distance of 94.00 feet to a calculated point, being an angle point;
- 3) (L3) S 82° 59' 56" E, a distance of 126.19 feet to a calculated point, being an angle point;

## PROPERTY DESCRIPTION FOR TRACT 4

### PART 2

**BEGINNING** at a set TXDOT Type II brass disk monument for an angle point and corner of the herein described tract, being at grid coordinate X=3072389.85, Y=10159986.58, which is based on the Texas State Plane Coordinate System (Central Zone No. 4203, NAD 83/93 HARN) using the Central Texas GPS Cooperative CORS RTK Network, being 50.0 feet right of old R.M. 1431 baseline station 1109+33.18 as referenced on TXDOT right-of-way map C.S.J. No. 1378-01-01, and being located 100.0 feet left of new R.M. 1431 baseline station 1098+52.30 (having a variable width) as referenced on TXDOT right-of-way map C.S.J. No. 1378-01-027, said monument being in the southerly right-of-way line of old R.M. 1431 (having a 100 foot width), same being the southerly line of said 0.63 acre tract (Parcel 15);

**THENCE**, with the southerly right-of-way line of said old R.M. 1431, same being the southerly line of said 0.63 acre tract (Parcel 15), by course 1 as follows:

N 58° 19' 43" W, a distance of 81.63 feet to a calculated point for the most westerly corner of the herein described tract, and from which a found TXDOT Type I concrete monument bears N 58° 19' 43" W, at a distance of 48.22 feet, said iron rod being 50 feet right of old R.M. 1431 baseline station 1108+03.32 (called 1108+03.3);

**THENCE**, traveling across the right-of-way of said old R.M. 1431, with the northerly line of said 0.63 acre tract (Parcel 15), by course 2 as follows:

2) S 62° 57' 45" E, a distance of 95.37 feet to a calculated point on a curve to the left for the most easterly corner of the herein described tract;

**THENCE**, departing the northerly line of said 0.63 acre tract (Parcel 15), traveling across the right-of-way of old R.M. 1431, by course 3 as follows:

3) (C1) In a Westerly direction, with said curve to the left, having a delta angle of 00° 31' 18", a radius of 1,700.00 feet, an arc length of 15.48 feet, and a chord which bears N 88° 10' 27" W for a distance of 15.48 feet to the POINT OF BEGINNING of the herein described Tract 4 – Part 2, delineating and encompassing within the metes recited 0.007 acre (314 square feet) of land, more or less, based on the survey and exhibit drawing made by The Wallace Group, Inc. in October of 2009.

Tract 4 Part 1 – 0.247 Acre Tract 4 Part 2 – <u>0.007 Acre</u> Total <u>0.254 Acre</u> These property descriptions are accompanied by an exhibit drawing.

THE STATE OF TEXAS §

KNOW ALL MEN BY THESE PRESENTS:

10-13-2009

Date

COUNTY OF TRAVIS §

That I, Daniel M. Flaherty, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Round Rock, Williamson County, Texas.



Daniel M. Flaherty

Registered Professional Land Surveyor Not 5004

The Wallace Group, Inc.

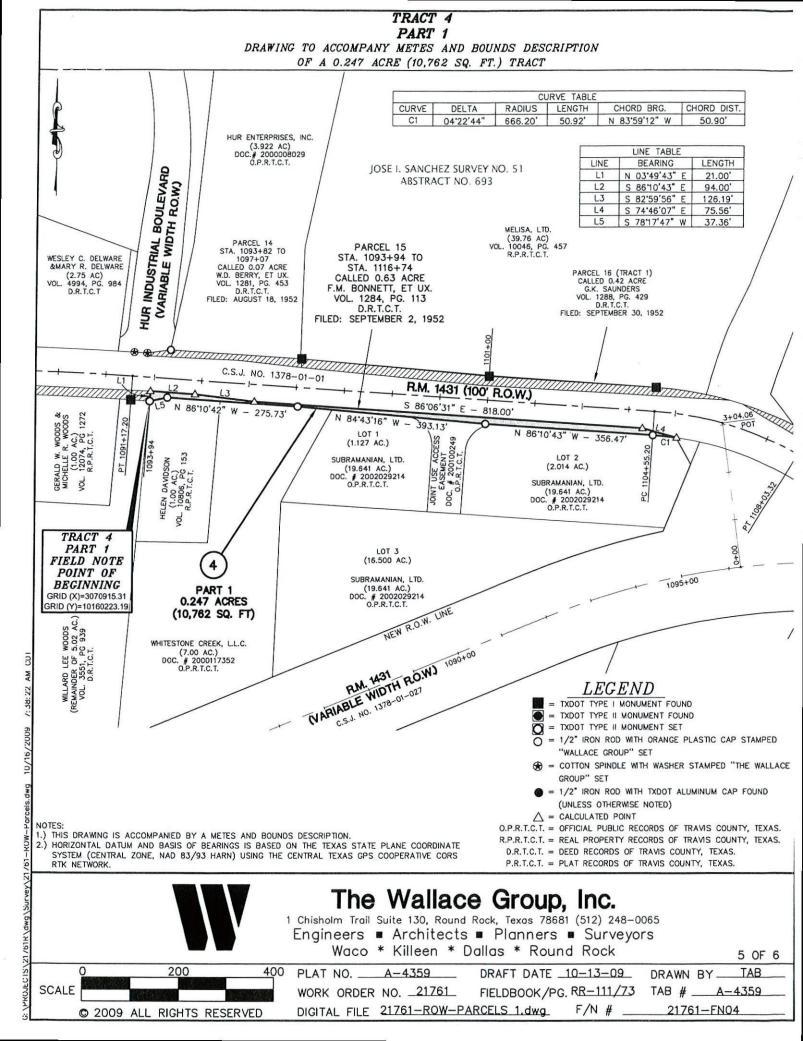
One Chisholm Trail, Suite 130

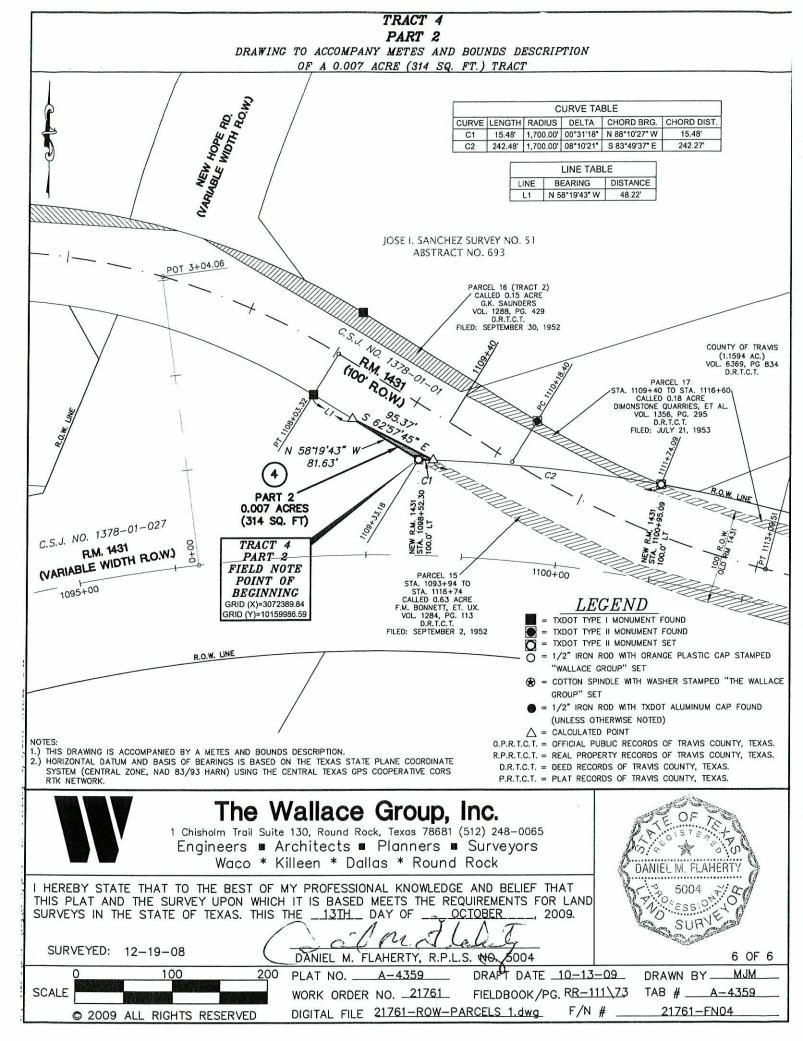
Round Rock, Texas 78681

Ph. (512) 248-0065

See attached Plat No. A-RR4359 21761-FN04.doc

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County:

**Travis** 

Tract No.:

5

Highway: CSJ:

R.M. 1431

1378-01-01

EXHIBIT B

# PROPERTY DESCRIPTION FOR TRACT 5

DESCRIPTION OF A 0.052 ACRE (2,279 SQUARE FOOT) TRACT OF LAND SITUATED IN THE JOSE I. SANCHEZ SURVEY NO. 51, ABSTRACT NO. 693, IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THE OLD R.M. 1431 RIGHT-OF-WAY AS REFERENCED ON TXDOT RIGHT-OF-WAY MAP C.S.J. NO. 1378-01-01, AND BEING A PORTION OF THAT CALLED 0.18 ACRE TRACT OF LAND (PARCEL 17) TO STATE OF TEXAS RECORDED IN VOLUME 1356, PAGE 295, DEED RECORDS OF TRAVIS COUNTY, TEXAS (D.R.T.C.T.), SAID 0.052 ACRE (2,279 SQUARE FOOT) TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

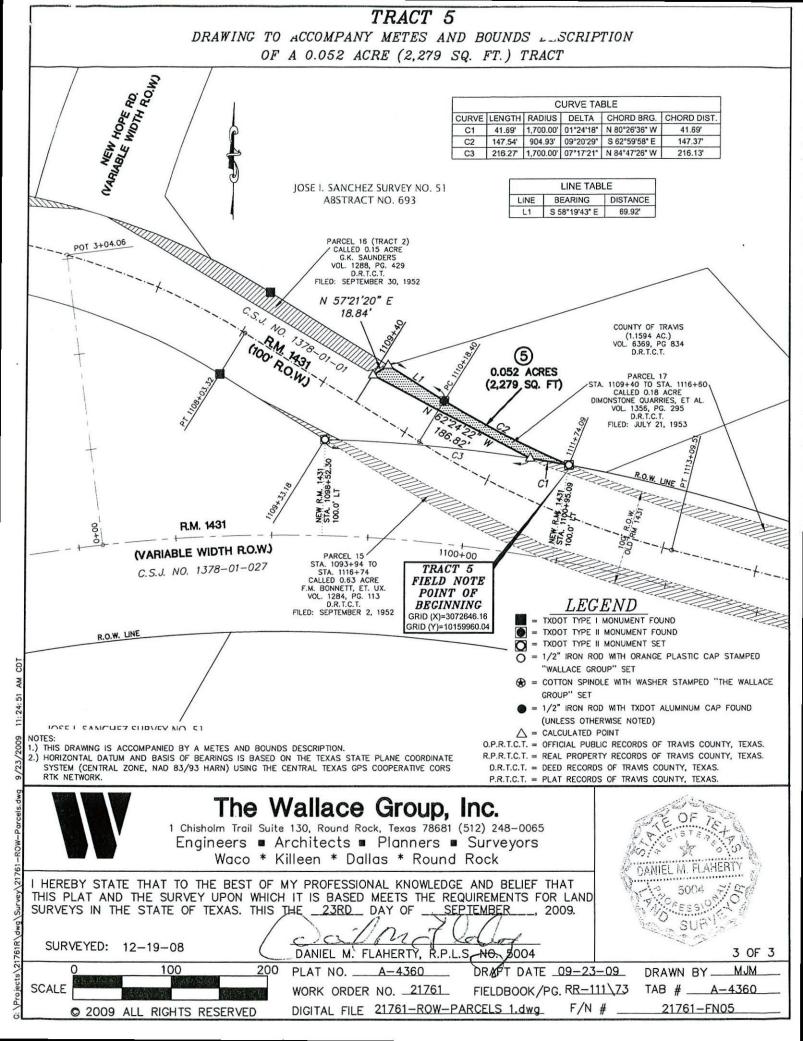
**BEGINNING** at a set TXDOT Type II brass disk monument for the most easterly corner of the herein described tract, being at grid coordinate X=3072646.16, Y=10159960.04, which is based on the Texas State Plane Coordinate System (Central Zone No. 4203, NAD 83/93 HARN) using the Central Texas GPS Cooperative CORS RTK Network, being 50.0 feet left of old R.M. 1431 baseline station 1111+74.09 as referenced on TXDOT right-of-way map C.S.J. No. 1378-01-01, and being located 100.0 feet left of new R.M. 1431 baseline station 1100+95.09 (having a variable width) as referenced on TXDOT right-of-way map C.S.J. No. 1378-01-027, said monument being in the northerly right-of-way line of old R.M. 1431 (having a 100 foot width), same being the northerly line of said 0.18 acre tract (Parcel 17), said point also being on a curve to the left;

**THENCE**, departing the northerly line of said 0.18 acre tract (Parcel 17), traveling across the right-of-way of said old R.M. 1431, by course 1 as follows:

1) In a Westerly direction, with said curve to the left, having a delta angle of 01° 24' 18", a radius of 1,700.00 feet, an arc length of 41.69 feet, and a chord which bears N 80° 26' 36" W for a distance of 41.69 feet to a calculated point for an angle point and corner of the herein described tract, said point being on the southerly line of said 0.18 acre tract (Parcel 17);

**THENCE,** traveling across the right-of-way of said old R.M. 1431, with the southerly line of said 0.18 acre tract (Parcel 17), by course 2 as follows:

2) N 62° 24' 22" W, a distance of 186.82 feet to a calculated point, 33.0 feet left of old R.M. 1431 baseline station 1109+40, being the most westerly corner of said 0.18 acre tract (Parcel 17) and the herein described tract;



County:

**Travis** 

Tract No.:

.: 1

Highway: CSJ:

R.M. 1431 1378-01-01

EXHIBIT C

# PROPERTY DESCRIPTION FOR TRACT 1

DESCRIPTION OF A 11.492 ACRE (500,595 SQUARE FOOT) TRACT OF LAND SITUATED IN THE C.G. SETTLE SURVEY NO. 632, ABSTRACT NO. 2201, THE B.F. DAVIS SURVEY NO. 73, ABSTRACT NO. 2280, THE CHARLES POWER SURVEY NO. 679, ABSTRACT NO. 613, AND THE JOSE I. SANCHEZ SURVEY NO. 51, ABSTRACT NO. 693, ABSTRACT NO. 2706, IN TRAVIS COUNTY, TEXAS; SAID 11.492 ACRE (500,595 SQUARE FOOT) TRACT OF LAND BEING A PORTION OF THE OLD R.M. 1431 RIGHT-OF-WAY AS REFERENCED ON TXDOT RIGHT-OF-WAY MAP C.S.J. NO. 1378-01-01 FROM STATION 1059+58.57 TO STATION 1111+74.09; SAID 11.492 ACRE (500,595 SQUARE FOOT) TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a found TXDOT Type II brass disk monument for the most westerly corner of the herein described tract and being at grid coordinate X=3068293.78, Y=10158501.05, which is based on the Texas State Plane Coordinate System (Central Zone No. 4203, NAD 83/93 HARN) using the Central Texas GPS Cooperative CORS RTK Network, said monument marking the intersection of the northerly right-of-way line of old R.M. 1431 (having a 100 foot width) and the curving northerly right-of-way line of new R.M. 1431 (having a variable width) as referenced on TXDOT right-of-way map C.S.J. No. 1378-01-027, said monument being located at 50.0 feet left of old R.M. 1431 baseline station 1059+58.57, same being located 100.0 feet left of new R.M. 1431 baseline station 1054+96.24;

**THENCE**, departing the curving northerly right-of-way line of said new R.M. 1431, with the northerly right-of-way line of said old R.M. 1431, by courses 1 through 22 as follows:

- N 41° 17' E, a distance of 147.53 feet to a found TXDOT Type II brass disk monument, 50.0 feet left of old R.M. 1431 baseline station 1061+06.10 (called 1061+06.1), being the beginning of a tangent curve to the right;
- (C1) In a **Northeasterly** direction, with said curve to the right, having a delta angle of **36° 46' 00"**, a radius of **622.96** feet, an arc length of **399.75** feet, and a chord which bears **N 59° 40' 17"** E for a distance of **392.93** feet to a found 1/2 inch iron rod with TXDOT aluminum cap, 50.0 feet left of old R.M. 1431 baseline station 1064+73.77 (called 1064+73.8), being the end of said curve;

- N 78° 03' 17" E, a distance of 112.23 feet to a found 1/2 inch iron rod with TXDOT aluminum cap, 50.0 feet left of old R.M. 1431 baseline station 1065+86.00 (called 1065+86.0), being the beginning of a tangent curve to the left;
- 4) (C2) In a **Northeasterly** direction, with said curve to the left, having a delta angle of **35° 55' 00"**, a radius of **666.20** feet, an arc length of **417.62** feet, and a chord which bears **N 60° 05' 47"** E for a distance of **410.81** feet to a found 1/2 inch iron rod with TXDOT aluminum cap, 50.0 feet left of old R.M. 1431 baseline station 1070+34.96 (called 1070+35.0), being the end of said curve;
- 5) (L1) N 42° 08' 18" E, a distance of 44.44 feet to a found 1/2 inch iron rod with TXDOT aluminum cap, 50.0 feet left of old R.M. 1431 baseline station 1070+79.40 (called 1070+79.4), being the beginning of a tangent curve to the left;
- 6) (C3) In a **Northerly** direction, with said curve to the left, having a delta angle of **16° 50' 00"**, a radius of **1,223.24** feet, an arc length of **359.38** feet, and a chord which bears **N 33° 43' 17"** E for a distance of **358.09** feet to a found 1/2 inch iron rod with TXDOT aluminum cap, 50.0 feet left of old R.M. 1431 baseline station 1074+53.50 (called 1074+53.5), being the end of said curve;
- 7) (L2) N 25° 18' 17" E, a distance of 185.53 feet to a found 1/2 inch iron rod with TXDOT aluminum cap, 50.0 feet left of old R.M. 1431 baseline station 1076+39.00 (called 1076+39.0), being the beginning of a tangent curve to the right;
- In a **Northerly** direction, with said curve to the right, having a delta angle of **02**° **05**′ **00**″, a radius of **3,869.73** feet, an arc length of **140.71** feet, and a chord which bears **N 26**° **20**′ **48**″ **E** for a distance of **140.70** feet to a found 1/2 inch iron rod with TXDOT aluminum cap, 50.0 feet left of old R.M. 1431 baseline station 1077+77.89 (called 1077+77.9), being the end of said curve;
- 9) N 27° 23' 17" E, a distance of 295.91 feet to a set 1/2 inch iron rod with orange plastic cap stamped "Wallace Group", 50.0 feet left of old R.M. 1431 baseline station 1080+73.80 (called 1080+73.8), being the beginning of a tangent curve to the right;
- In a Northeasterly direction, with said curve to the right, having a delta angle of 26° 45' 00", a radius of 766.20 feet, an arc length of 357.72 feet, and a chord which bears N 40° 45' 47" E for a distance of 354.48 feet to a set 1/2 inch iron rod with orange plastic cap stamped "Wallace Group", 50.0 feet left of old R.M. 1431 baseline station 1084+08.17 (called 1084+08.2), being the end of said curve;
- (L3) N 54° 07' 58" E, a distance of 6.03 feet to a set 1/2 inch iron rod with orange plastic cap stamped "Wallace Group", 50.0 feet left of old R.M. 1431 baseline station 1084+14.20 (called 1084+14.2), being the beginning of a tangent curve to the right;

- (C4) In a **Northeasterly** direction, with said curve to the right, having a delta angle of **37° 18' 00"**, a radius of **766.20** feet, an arc length of **498.80** feet, and a chord which bears **N 72° 47' 17"** E for a distance of **490.04** feet to a set 1/2 inch iron rod with orange plastic cap stamped "Wallace Group", 50.0 feet left of old R.M. 1431 baseline station 1088+80.45 (called 1088+80.5), being the end of said curve;
- (L4) S 88° 33' 43" E, a distance of 236.75 feet to a set 1/2 inch iron rod with orange plastic cap stamped "Wallace Group", 50.0 feet left of old R.M. 1431 baseline station 1091+17.20 (called 1091+17.2), being the beginning of a tangent curve to the right;
- (C5) In a **Easterly** direction, with said curve to the right, having a delta angle of 02° 23' 00", a radius of 5,779.58 feet, an arc length of 240.41 feet, and a chord which bears S 87° 22' 13" E for a distance of 240.40 feet to a set cotton spindle with washer stamped "The Wallace Group", 50.0 feet left of old R.M. 1431 baseline station 1093+55.53 (called 1093+55.5), being the end of said curve;
- (L5) S 86° 10' 43" E, a distance of 26.47 feet to a set cotton spindle with washer stamped "The Wallace Group", 50.0 feet left of old R.M. 1431 baseline station 1093+82 (called 1093+82) for an angle point, being the most westerly corner of that called 0.07 acre tract of land (Parcel 14) conveyed to the State of Texas by Right-of-Way Deed recorded in Volume 1281, Page 453 of the D.R.T.C.T.;
- (L6) N 82° 03' 10" E, a distance of 49.03 feet to a set 1/2 inch iron rod with orange plastic cap stamped "Wallace Group", 60.0 feet left of old R.M. 1431 baseline station 1094+30, being an angle point;
- S 86° 10' 42" E, a distance of 277.00 feet to a found TXDOT Type I concrete monument, 60.0 feet left of old R.M. 1431 baseline station 1097+07 (called 1097+07), being an angle point and the northeast corner of said 0.07 acre tract, same marking the northwest corner of that called said 0.42 acre tract of land (Parcel 16 Tract 1) conveyed to the State of Texas by Right-of-Way Deed recorded in Volume 1288, Page 429, D.R.T.C.T.;
- 18) S 84° 43' 16" E, a distance of 393.13 feet to a found TXDOT Type I concrete monument, 50.0 feet left of old R.M. 1431 baseline station 1101+00, being an angle point;
- 19) **S** 86° 10' 43" E, a distance of 355.20 feet to a found TXDOT Type I concrete monument, 50.0 feet left of old R.M. 1431 baseline station 1104+55.20 (called 1104+55.2), being the beginning of a tangent curve to the right;
- (C6) In a Easterly direction, with said curve to the right, having a delta angle of 27° 51′ 00°, a radius of 766.20 feet, an arc length of 372.43 feet, and a chord

- which bears S 72° 15' 13" E for a distance of 368.77 feet to a found TXDOT Type I concrete monument, 50.0 feet left of old R.M. 1431 baseline station 1108+03.32 (called 1108+03.3), being the end of said curve;
- 21) (L7) S 58° 19' 43" E, a distance of 215.07 feet to a found TXDOT Type II brass disk monument, 50.0 feet left of old R.M. 1431 baseline station 1110+18.40 (called 1110+18.4), being the beginning of a tangent curve to the left;
- (C7) In a **Easterly** direction, with said curve to the left, having a delta angle of **09° 20' 29"**, a radius of **904.93** feet, an arc length of **147.54** feet, and a chord which bears **S 62° 59' 58"** E for a distance of **147.37** feet to a set TXDOT Type II brass disk monument for the most easterly corner of the herein described tract, being 50.0 feet left of old R.M. 1431 baseline station 1111+74.09, and being 100.0 feet left of new R.M. 1431 baseline station 1100+95.09, said monument marking the intersection of the curving northerly right-of-way line of old R.M. 1431 (having a 100 foot width) and the curving northerly right-of-way line of new R.M. 1431 (having a variable width);

**THENCE**, traveling across the right-of-way of said old R.M. 1431, by course 23 as follows:

(C8) In a Westerly direction, with a non-tangent curve to the left, having a delta angle of 08° 41' 39", a radius of 1,700.00 feet, an arc length of 257.96 feet, and a chord which bears N 84° 05' 17" W for a distance of 257.71 feet to a set TXDOT Type II brass disk monument, being 50.0 feet right of old R.M. 1431 baseline station 1109+33.18, and being located 100.0 feet left of new R.M. 1431 baseline station 1098+52.30, said monument being in the southerly right-of-way line of old R.M. 1431 (having a 100 foot width);

**THENCE**, with the southerly right-of-way line of said old R.M. 1431, by courses 24 through 40 as follows:

- (L8) N 58° 19' 43" W, a distance of 129.85 feet to a found TXDOT Type I concrete monument, 50.0 feet right of old R.M. 1431 baseline station 1108+03.32 (called 1108+03.3), being the beginning of a tangent curve to the left;
- (C9) In a Westerly direction, with said curve to the left, having a delta angle of 27° 51' 00", a radius of 666.20 feet, an arc length of 323.82 feet, and a chord which bears N 72° 15' 13" W for a distance of 320.64 feet to a set 1/2 inch iron rod with orange plastic cap stamped "Wallace Group", 50.0 feet right of old R.M. 1431 baseline station 1104+55.20 (called 1104+55.2), being the end of said curve;
- N 86° 10' 43" W, a distance of 356.47 feet to a set 1/2 inch iron rod with orange plastic cap stamped "Wallace Group", 50.0 feet right of old R.M. 1431 baseline station 1101+00, being an angle point;

- N 84° 43' 16" W, a distance of 393.13 feet to a set 1/2 inch iron rod with orange plastic cap stamped "Wallace Group", 40.0 feet right of old R.M. 1431 baseline station 1097+07, being an angle point;
- N 86° 10' 42" W, a distance of 275.73 feet to a set 1/2 inch iron rod with orange plastic cap stamped "Wallace Group", 40.0 feet right of old R.M. 1431 baseline station 1094+30, being an angle point;
- 29) (L9) S 78° 17' 47" W, a distance of 37.36 feet to a set 1/2 inch iron rod with orange plastic cap stamped "Wallace Group", 50.0 feet right of old R.M. 1431 baseline station 1093+94, being an angle point;
- 30) (L10) N 86° 10' 42" W, a distance of 38.47 feet to a found TXDOT Type I concrete monument, 50.0 feet right of old R.M. 1431 baseline station 1093+55.53 (called 1093+55.5), being the beginning of a tangent curve to the left;
- (C10) In a Westerly direction, with said curve to the left, having a delta angle of 02° 23' 00", a radius of 5,679.16 feet, an arc length of 236.24 feet, and a chord which bears N 87° 22' 13" W for a distance of 236.24 feet to a set 1/2 inch iron rod with orange plastic cap stamped "Wallace Group", 50.0 feet right of old R.M. 1431 baseline station 1091+17.20 (called 1091+17.2), being the end of said curve;
- (L11) N 88° 33' 43" W, a distance of 236.75 feet to a set 1/2 inch iron rod with orange plastic cap stamped "Wallace Group", 50.0 feet right of old R.M. 1431 baseline station 1088+80.45 (called 1088+80.5), being the beginning of a tangent curve to the left;
- In a **Southwesterly** direction, with said curve to the left, having a delta angle of 37° 18' 00", a radius of 666.20 feet, an arc length of 433.70 feet, and a chord which bears S 72° 47' 17" W for a distance of 426.08 feet to a set 1/2 inch iron rod with orange plastic cap stamped "Wallace Group", 50.0 feet right of old R.M. 1431 baseline station 1084+14.20 (called 1084+14.2), being the end of said curve;
- 34) (L12) S 54° 08' 09" W, a distance of 6.03 feet to a set 1/2 inch iron rod with orange plastic cap stamped "Wallace Group", 50.0 feet right of old R.M. 1431 baseline station 1084+08.17 (called 1084+08.2), being the beginning of a tangent curve to the left;
- 35) (C11) In a **Southwesterly** direction, with said curve to the left, having a delta angle of **26° 45' 00"**, a radius of **666.20** feet, an arc length of **311.03** feet, and a chord which bears **S 40° 45' 47"** W for a distance of **308.21** feet to a set 1/2 inch iron rod with orange plastic cap stamped "Wallace Group", 50.0 feet right of old R.M. 1431 baseline station 1080+73.80 (called 1080+73.8), being the end of said curve;

- (L13) S 27° 23' 17" W, a distance of 73.80 feet to a found TXDOT Type II brass disk monument, 50.0 feet right of old R.M. 1431 baseline station 1080+00, being the most northerly corner of that called 2.924 acre tract of land (Parcel 14) to State of Texas by Judgement Of Court In Absence Of Objection recorded in Document No. 2008003400, O.P.R.T.C.T.;
- S 27° 23' 17" W, a distance of 222.11 feet to a set TXDOT Type II brass disk monument, 50.0 feet right of old R.M. 1431 baseline station 1077+77.89 (called 1077+77.9), being in the curving southerly right-of-way line of old R.M. 1431 and marking a corner of that called 3.102 acre tract of land (Parcel 13) of which the State of Texas has possession of by Commissioners Award as described in Notice Of Lis Pendens recorded in Document No. 2007102922, O.P.R.T.C.T.;
- 38) (C13) In a **Southwesterly** direction, with said curve to the left, having a delta angle of **02° 05' 00''**, a radius of **3,769.72** feet, an arc length of **137.07** feet, and a chord which bears **S 26° 20' 48''** W for a distance of **137.06** feet to a found 1/2 inch iron rod with TXDOT aluminum cap, 50.0 feet right of old R.M. 1431 baseline station 1076+39.00 (called 1076+39.0), being the end of said curve;
- 39) (L15) **S 25° 18' 17"** W, a distance of **185.53** feet to a found 1/2 inch iron rod with TXDOT aluminum cap, 50.0 feet right of old R.M. 1431 baseline station 1074+53.50 (called 1074+53.5), being the beginning of a curve to the right;
- 40) (C14) In a **Southwesterly** direction, with said curve to the right, having a delta angle of **16° 50' 00"**, a radius of **1,323.24** feet, an arc length of **388.76** feet, and a chord which bears **S 33° 43' 17"** W for a distance of **387.37** feet to a set 1/2 inch iron rod with orange plastic cap stamped "Wallace Group", 50.0 feet right of old R.M. 1431 baseline station 1070+79.40 (called 1070+79.4), being the end of said curve and being on the northerly right-of-way line of new R.M. 1431;

**THENCE**, with the common southerly right-of-way line of old R.M. 1431 and the northerly right-of-way line of new R.M. 1431, by courses 41 through 45 as follows:

- 41) (L16) S 42° 08' 18" W, a distance of 44.44 feet to a set cotton spindle with washer stamped "The Wallace Group", 50.0 feet right of old R.M. 1431 baseline station 1070+34.96 (called 1070+35.0), being the beginning of a curve to the right;
- 42) (C15) In a **Southwesterly** direction, with said curve to the right, having a delta angle of **35° 55' 00"**, a radius of **766.20** feet, an arc length of **480.30** feet, and a chord which bears **S 60° 05' 47"** W for a distance of **472.48** feet to a set 1/2 inch iron rod with orange plastic cap stamped "Wallace Group", 50.0 feet right of old R.M. 1431 baseline station 1065+86.00 (called 1065+86.0), being the end of said curve;

- 43) S 78° 03' 17" W, a distance of 112.23 feet to a set 1/2 inch iron rod with orange plastic cap stamped "Wallace Group", 50.0 feet right of old R.M. 1431 baseline station 1064+73.77 (called 1064+73.8), being the beginning of a curve to the left;
- 44) (C16) In a **Southwesterly** direction, with said curve to the left, having a delta angle of **36° 46' 00"**, a radius of **522.96** feet, an arc length of **335.58** feet, and a chord which bears **S 59° 40' 17"** W for a distance of **329.85** feet to a calculated point, being 50.0 feet right of old R.M. 1431 baseline station 1061+06.10 (called 1061+06.1), being the end of said curve;
- 45) **S 41° 17' 18"** W, a distance of **1.94** feet to a set TXDOT Type II brass disk monument, 50.0 feet right of old R.M. 1431 baseline, and being 100.0 feet left of new R.M. 1431 baseline station 1056+87.76, being the beginning of a curve to the right;

**THENCE**, traveling across the right-of-way of said old R.M. 1431, by course 46 as follows:

46) (C17) In a Westerly direction, traveling across the right-of-way of said old R.M. 1431, with a non-tangent curve to the right, having a delta angle of 08° 26' 28", a radius of 1,200.00 feet, an arc length of 176.79 feet, and a chord which bears S 75° 46' 17" W for a distance of 176.63 feet to the POINT OF BEGINNING of the herein described Tract 1, delineating and encompassing within the metes recited 11.492 acres (500,595 square feet) of land, more or less, SAVE AND **EXCEPT** the following tracts conveyed to State of Texas, being a 0.254 acre portion of Parcel 15 recorded in Volume 1284, Page 113, D.R.T.C.T., being a 0.052 acre portion of Parcel 17 recorded in Volume 1356, Page 295, D.R.T.C.T., being all Parcel 12 - Tract 2, containing 0.37 acres and recorded in Volume 1284, Page 117, D.R.T.C.T., being all of Parcel 13 - Tract 2, containing 0.62 acres and recorded in Volume 1284, Page 99, D.R.T.C.T., being all of Parcel 14, containing 0.07 acres and recorded in Volume 1281, Page 453, D.R.T.C.T., and being all of Parcel 16 – Tract 1, containing 0.42 acres and Parcel 16 – Tract 2, containing 0.15 acres, both tracts recorded in Volume 1288, Page 429, D.R.T.C.T., containing a total acreage of 1.936 acres, leaving a net area of 9.556 acres of land based on the survey and exhibit drawing made by The Wallace Group, Inc. in November of 2009.

This property description is accompanied by an exhibit drawing.

THE STATE OF TEXAS §

KNOW ALL MEN BY THESE PRESENTS:

11-23-2009

Date

COUNTY OF TRAVIS §

That I, Daniel M. Flaherty, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Round Rock, Williamson County, Texas.

8



Daniel M. Flaherty

Registered Professional Land Surveyor No. 5004

The Wallace Group, Inc.

One Chisholm Trail, Suite 130

Round Rock, Texas 78681

Ph. (512) 248-0065

See attached Plat No. A-RR4356 21761-FN01.doc

